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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/893,931	06/28/2001	Masahide Hio	FP01-003US	5384

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EXAMINER

GUSHI, ROSS N

ART UNIT

PAPER NUMBER

2833

DATE MAILED: 01/11/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/893,931

Applicant(s)

HIO ET AL.

Examiner

Ross N. Gushi

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 3,4.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claim 7 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In particular, the limitation that the lock is of "a single-plate configuration" is unclear and confusing. The limitation is treated as meaning that the lock and terminal are formed out of a single piece of metal.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-3, 5-10, and 12-14 are rejected under 35 U.S.C. 102(b) as being anticipated by Hoppe Jr. U.S. No. 3,867,005 ("Hoppe").
5. Hoppe discloses an insulation-displacement terminal fitting (16), comprising: a base wall 54, first and second opposed side walls (53, 52) projecting from opposite sides of the base wall and defining a wire-receiving space between the side walls, each said side wall being provided with at least one V-shaped insulation-displacement portion (96, 97) projecting into the wire receiving space, at least one lock (99, 100) projecting into the wire-receiving space in a position spaced from the insulation displacement

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portions, whereby a wire (24) can be inserted into the wire-receiving space sufficiently for cutting a resin coating of the wire by projecting ends of the insulation-displacement portions and bringing a core of the wire into contact with the projecting ends of the insulation-displacement portions, and wherein the lock (99, 100) bites into at least the resin coating.

6. Per claim 2, the lock is formed by cutting and bending a portion of a selected one of the base wall and the side wall.

7. Per claim 3, the lock projects substantially at right angles to at least one of the side wall and the bottom wall.

8. Per claim 5, the lock projects by a sufficient distance for contacting the core.

9. Per claim 6, the lock and the insulation-displacement portions project substantially equal distances from the respective side walls.

10. Per claim 7, the lock is of a single-plate configuration.

11. Per claim 8, the insulation-displacement portions each are formed by two substantially planar portions that extend at an angle from the respective side wall.

12. Claims 9, 10, 12, 13, are rejected for the reasons pertaining to claims 1, 3, 5, 6,

13. Per claim 14, the terminal fitting comprises a front end 26 defining an engaging portion for engaging a mating terminal, the insulation displacement-terminal portions being rearward of the engaging portion, the locks being rearward of the insulation displacement portions.

Claim Rejections - 35 USC § 103

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14. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.


15. Claims 4 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hoppe as inc claims 1 and 9 in view of Endo et al. '928 ("Endo").

16. In Hoppe the lock is arguably not inclined obliquely to project in a direction opposite from an acting direction of an external force along the longitudinal direction of the wire. Endo discloses locks 40 (figs. 5, 6) inclined obliquely to project in a direction opposite from an acting direction of an external force along the longitudinal direction of the wire. At the time of the invention, it would have been obvious to modify the Hoppe locks to be inclined obliquely to project in a direction opposite from an acting direction of an external force as taught in Endo. The suggestion or motivation for doing so would have been to satisfactorily hold the wire against an axial force as taught in Endo (col. 7, lines 45-50).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ross Gushi whose telephone number is (703) 306-4508. If attempts to reach the examiner by phone are unsuccessful, the examiner's supervisor, Paula A. Bradley, can be reached at (703) 308-2319. The phone number for the Group's facsimile is (703) 308-7766.

rng


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